

mother's death to pay the taxes and exercise all the rights of ownership, rented the property and collected the rent; that no other person has shown any interest in the property; so this being an equity proceeding and the publication having been made and proof by certificate of publication having been filed, the Court would think that this question of title should be quieted and vest in Cora G. Taylor and Winifred E. Eubanks as tenants in common, each a one-half interest as tenants in common I would think. (Conversation between Court and Counsel then ensued, not recorded) John died in 1943 leaving Sarah Brooks. He died without a Will, so Sarah would take one-third of his one-third, which would be one-ninth, which is still outstanding here as stated by these proceedings. Cora Brooks and Helen Brooks, Cora and Helen both having survived and being recipients of a one-third interest by and under the laws of intestacy, both became entitled to an interest of four-ninths, by virtue of being children of Helen. So by these proceedings the Court declares that Sarah, having not been heard from for more than the statutory requirement and having exercised no rights of adverse possession, no longer has an interest in the property, and Cora now having died intestate, and Helen having survived her by two years, Helen takes her interest, so when Helen died Owens survived her, giving him a one-third, and the Court will therefore declare that Cora Henderson Taylor and Winifred E. Henderson Eubanks now have a one-third interest. That will be subject - I will not sign any decree until the Court has been presented with tax receipts - the most recent tax receipts - and has been satisfied that there was no proceeding to sell any of the real estate in the Orphans' Court for payment of debts following the death of Helen.

(Receipted tax bill in duplicate filed in evidence, marked
Petitioners' Exhibit No. 3)

Filed July 25, 1965